



पी.एस. कृष्णन्
P.S. KRISHNAN
TEL. : 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

NCBC Advice No. Gujarat 18/98

13. 11. 1998

Dear Shri Manavalan,

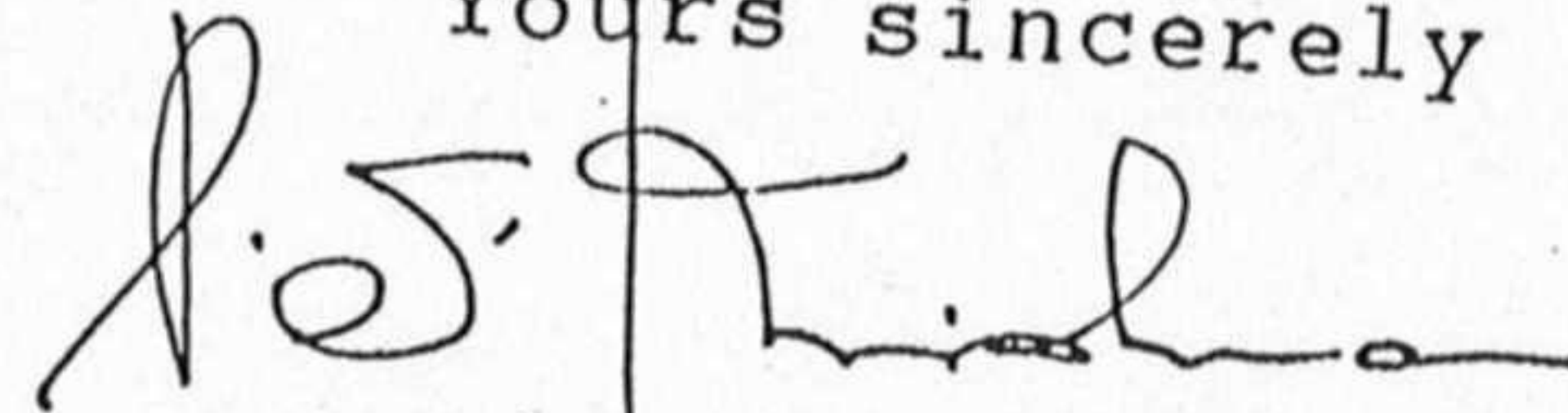
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Inclusion of "Mahia(Maiya)" caste/community in the Central List of Backward Classes for Gujarat, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 446(265 for Inclusion + 181 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 440 (259 for Inclusion + 181 for Rejection) are still pending with the Government for Notification.

P.B. No. 11/98

16/11/98

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

NATIONAL COMMISSION FOR BACKWARD CLASSES**GUJARAT BENCH****FINDINGS**

Case : Request for inclusion of "Mahia (Maiya)" caste/community in the Central List of Backward Classes for Gujarat.

Per Shri U.P. Singh, Member

I. Request

1. This case arises out of the Request received in this Commission from Shri G.H. Dhana, President, Shri Samast Mahia (Maiya) Seva Yuvak Mandal, Keshod, Distt. Junagadh, Gujarat for inclusion of "Mahia (Maiya)" caste/community in the Central List of Backward Classes for Gujarat.

II. Public Hearing

2. The two-Member Gujarat Bench of the Commission consisting of Hon'ble Members, S/Shri U.P. Singh and Navtej Puadhi, held a Public Hearing at Ahmedabad on 6.5.98 in respect of this Request. At the Public Hearing, the State Govt. was represented by Shri J.M. Luni, Director, Developing Castes Welfare, Shri N.L. Bhatt, Deputy Secretary and Shri A.M. Bhatt from Social Welfare Department, Govt. of Gujarat, Gandhinagar. Shri J. B. Baxi, Incharge Secretary, State OBC Commission, Gandhinagar

was also present during the Public Hearing. Nobody appeared before the Bench on behalf of the caste/community.

III. Facts

3. At the time of preparation of first phase Central List of Backward Classes on the basis of "Principle of Commonality", the caste/community was neither included in the Mandal List nor in the State List of BC's for Gujarat and therefore, it was not included in the Central List of Backward Classes for Gujarat in 1993. However, the caste/community was included in the State List at entry No. 108 vide Govt. of Gujarat. Social Welfare Department Resolution No. 559/1194/1411/A dated 25.7.94 as follows:

"108. Maiya"

4. Shri G. H. Dhana, President, Shri Samast Mahia (Maiya) Seva Yuvak Mandal submitted in his representation that the most population of the community about 15,000 are residing in Junagadh district and some persons are residing in Ahmedabad and Kutch. They were migrated in search of work to live upon. The community generally depend upon agricultural work and miscellaneous labour work. Some of them are shepherd and selling milk. The standard of living of the community is very very low in comparison to other Backward Castes. The most of the population is residing in small villages and social growth of the caste is nil. While giving details of educational backwardness of the caste he mentioned that except one person who reached to second class officer there is no Lawyer, Doctor, Engineer or officer in Government service as the community is largely educationally backward. He also stated that there is no M.P. M.L.A. or Member of Taluka or District Panchayat.

5. The filled in NCBC's Questionnaire obtained from Shri Dhana contains that "Mahia (Maiya)" is the main caste having population of 9550 concentrated in Junagadh, Rajkot and other districts of the State and engaged in the occupation of "Agricultural and Farm Labour". Some of them are engaged in cattle keeping. 72.35% member of the

community are stated to be landless manual (both agricultural and non-agricultural) labourers. 31.14% member of the caste/community are said to be homeless, 61.29% are shown living in kachha houses and 5.57% living in pucca houses.

The literacy rate of the caste/community is given 14% in May, 1998. The percentage of matriculates and graduates constitutes 3.53 and 0.41 respectively.

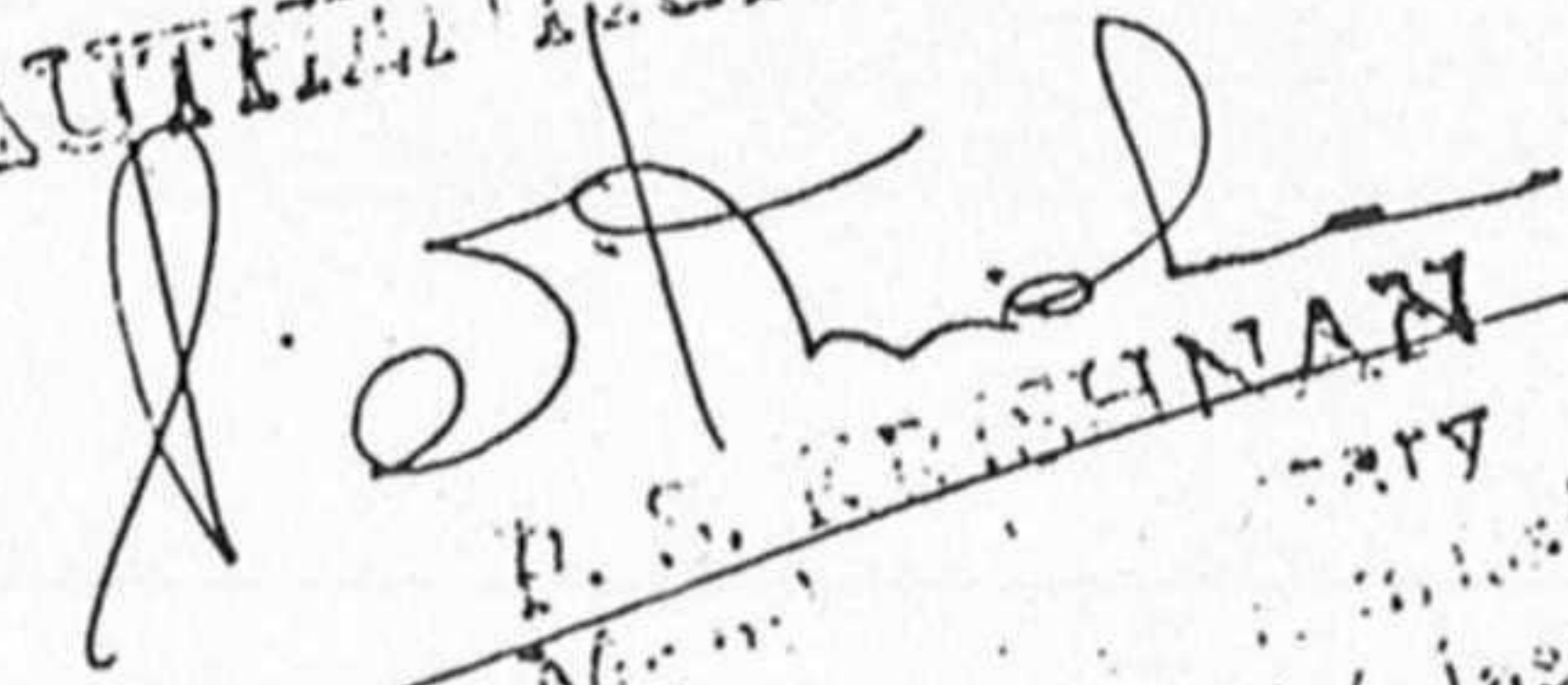
6. R. E. Enthoven describes about the "Mahias" in his book "The Tribes and Castes of Bombay" (Published by Asian Educational Services, New Delhi, 1990, Vol. II, p. 418-422). According to him "Mahias" are chiefly found in the Sorath Prant of Kathiawar. The head of the caste is the owner of the village of Shergadh under the Halia Malia Mahal of Junagadh. In descent they appear to be Jadhav Rajputs and to have accompanied the Babrias, with whom they have many things in common, into Kathiawar; they were probably hired soldiers and labourers. (Ibid, p. 418)..... The people believe themselves to have once been soldiers rather than labourers. Some of them own lands, while others are agricultural labourers, some are servants. They eat flesh and drink liquor. They eat with Ahirs, Rabaris, Bharwads, and Margi Sadhus and Kumbhars; the Hatis, Kathis, Rajputs, Babrias, and Charans eat with them. (Ibid, p. 422)..... They are Hindus and widow marriage is allowed. (Ibid. p. 421).....

7. Census of India 1931, Bombay Presidency, Part I Report by A H Dracup and H T Sorley listed "Mahia or Maiya" caste under Hindu Intermediate Caste from Kathiawar area and their traditional or habitual occupation as cultivators and field labourers. (p. 516)

8. Kaka Kalelkar Commission (First Backward Classes Commission) has recommended inclusion of "Mahia" at entry No. 225 and their occupation as "Agricultural Labourers, Servants."

9. Those present during the Public Hearing not only did not object to the inclusion of Mahia (Maiya) caste/community in the Central List of Backward Classes for Gujarat rather supported it.

AUTHENTICATED


P. S. KRISHNAN
Secretary
National Commission
for Backward Classes

IV. Findings

10. From the above material, the Bench has come to the finding that Mahiya or Maiya is a caste/community of agricultural labourers and servants and they constitute a Socially and Educationally Backward Class. It falls under the "Fast-Track" category as it is covered by para 7 of the Procedural Clarification on the Guidelines for Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central List of Backward Classes adopted by the Commission. Therefore, the Bench concluded that Mahia (Maiya) should be included in the Central List of Backward Classes for Gujarat at entry No. 91, as follows :

" 91. Mahia (Maiya)

As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.8.1998, subsequent to the Public Hearing, the Findings are signed only by one Member, who is also the Co-ordinating Member of the Bench, but the Findings represent the conclusion jointly arrived at by both the Members.

R. Shyam
13.11.98

U. P. Singh
(U. P. SINGH)
13.11.98

AUTHENTICATED
P. S. Krishnan
P. S. KRISHNAN
Member, Commission
for Backward Classes

V. Advice of the Commission

11. The Commission considered and agreed in full with the Findings of the Gujarat Bench and decided to tender the following Advice to Central Government under section 9(1) of the NCBC Act, 1993 for action by the Central Government under Section 9(2) of the Act :-

"Maihya (Maiya)" caste/community should be included in the Central List of Backward Classes for Gujarat at entry No. 91 as follows :

"91. Mahia (Maiya)"

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.1998, this unanimous Advice of the Commission does not bear the signature of that Member. The validity of the Advice, notwithstanding the vacancy caused by the demise of the aforesaid Member, is protected by Section 7 of the NCBC Act, 1993.

Kshayam
13.11.98

Navtej Puadhi
13.11.98

P. S. Krishnan
13.11.98

AUTHENTICATED
P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes